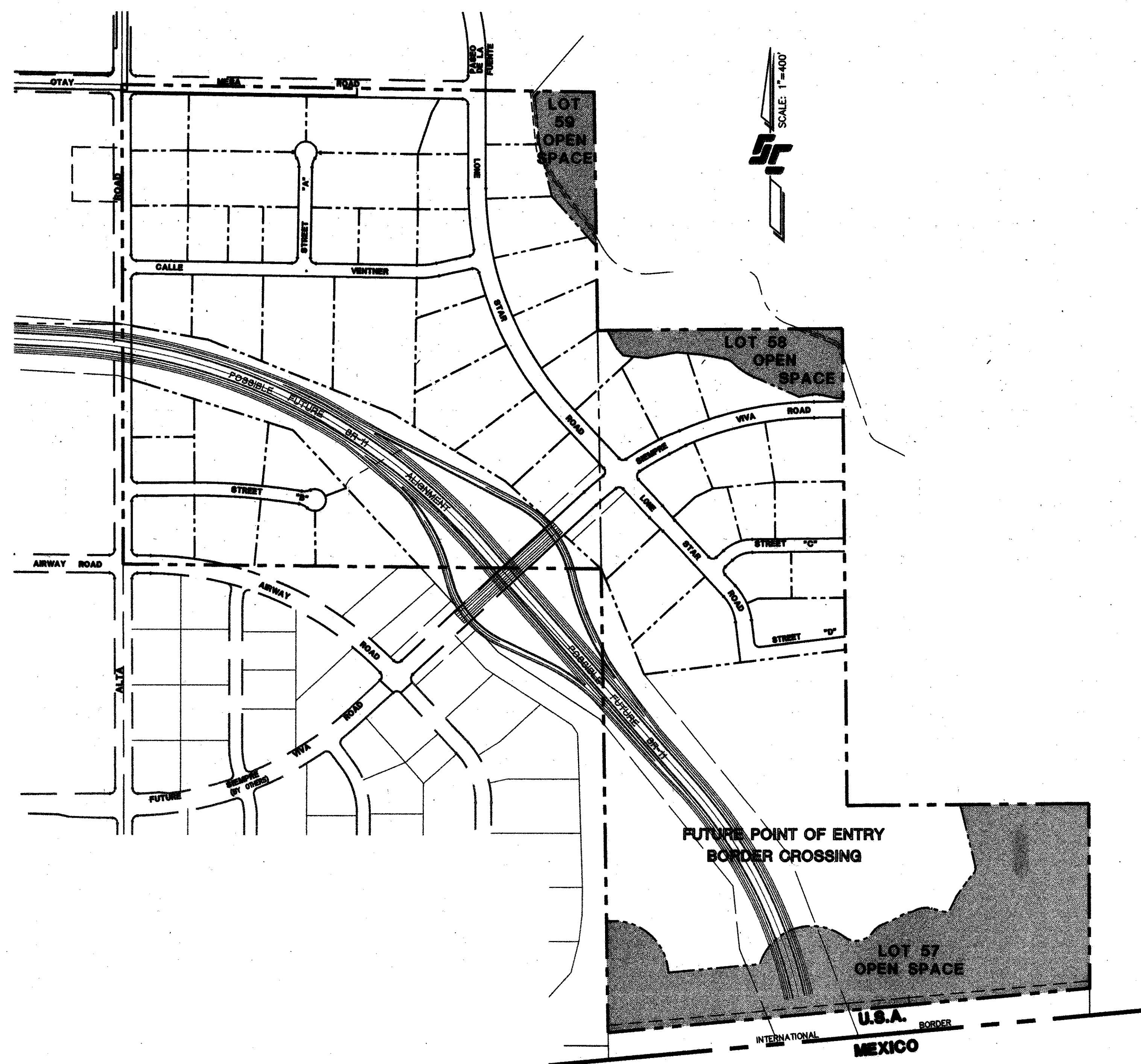
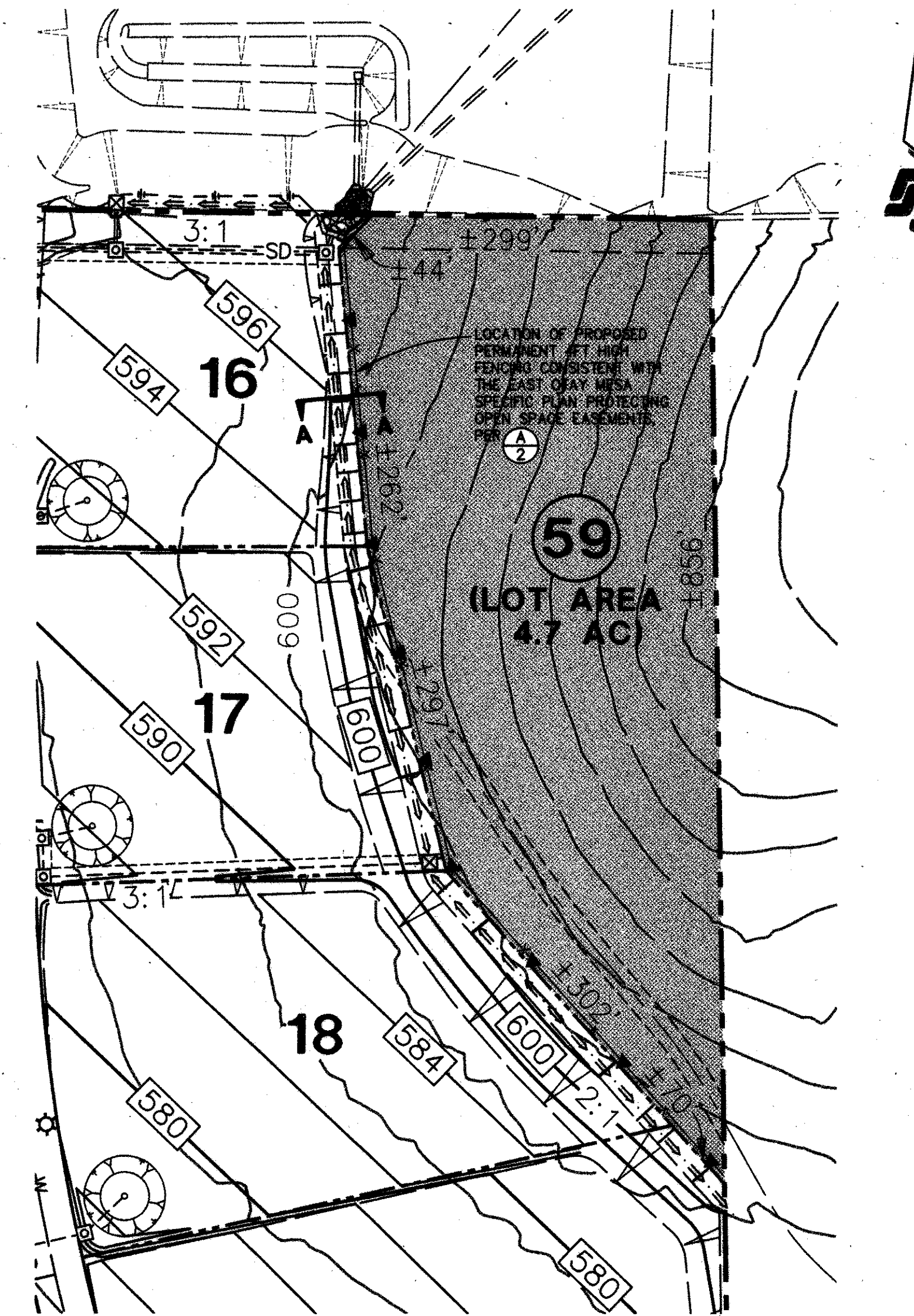


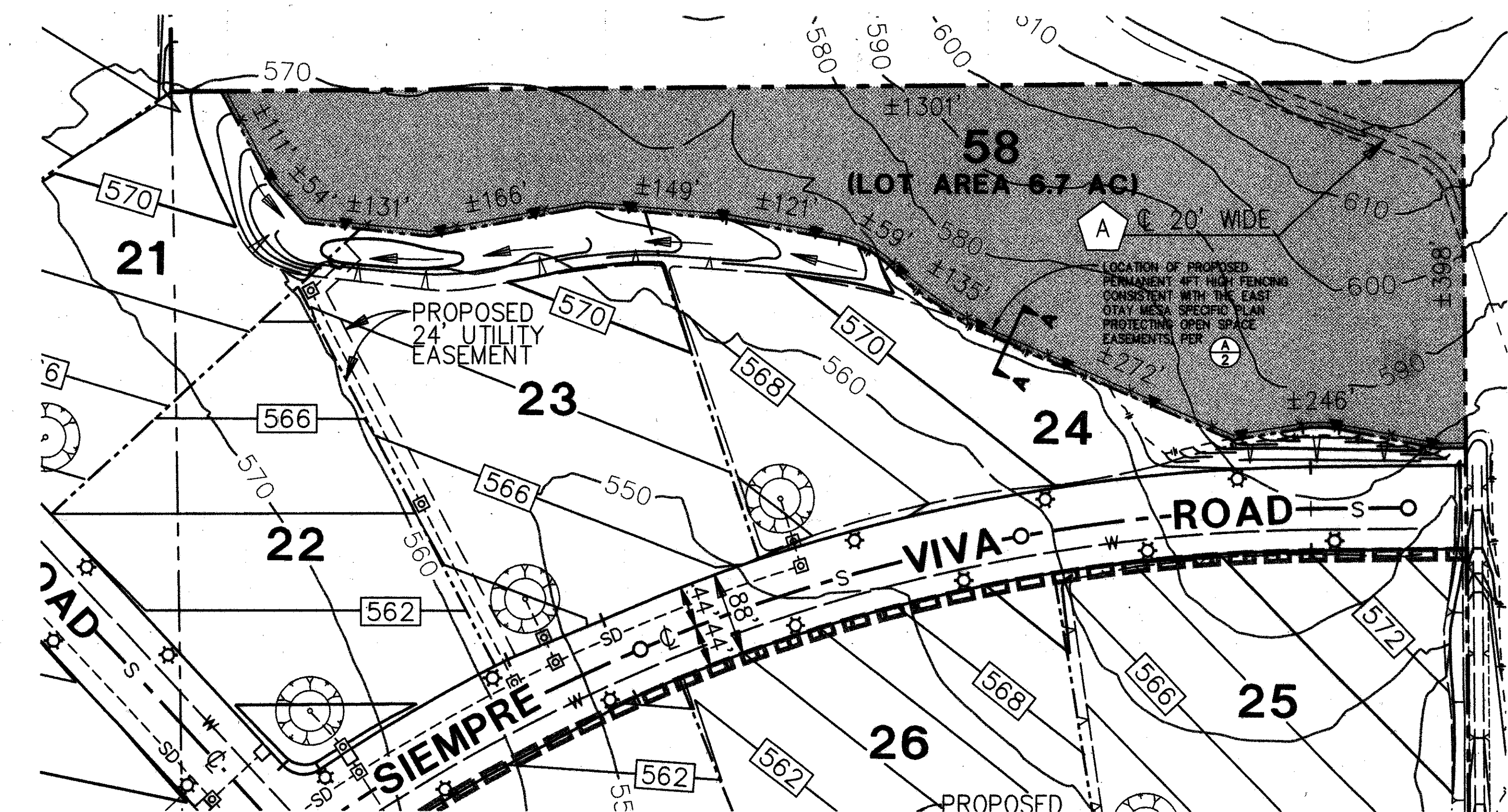
OTAY CROSSINGS COMMERCE PARK - PRELIMINARY GRADING PLAN OPEN SPACE EXHIBIT



OPEN SPACE KEY MAP
SCALE: 1"=400'

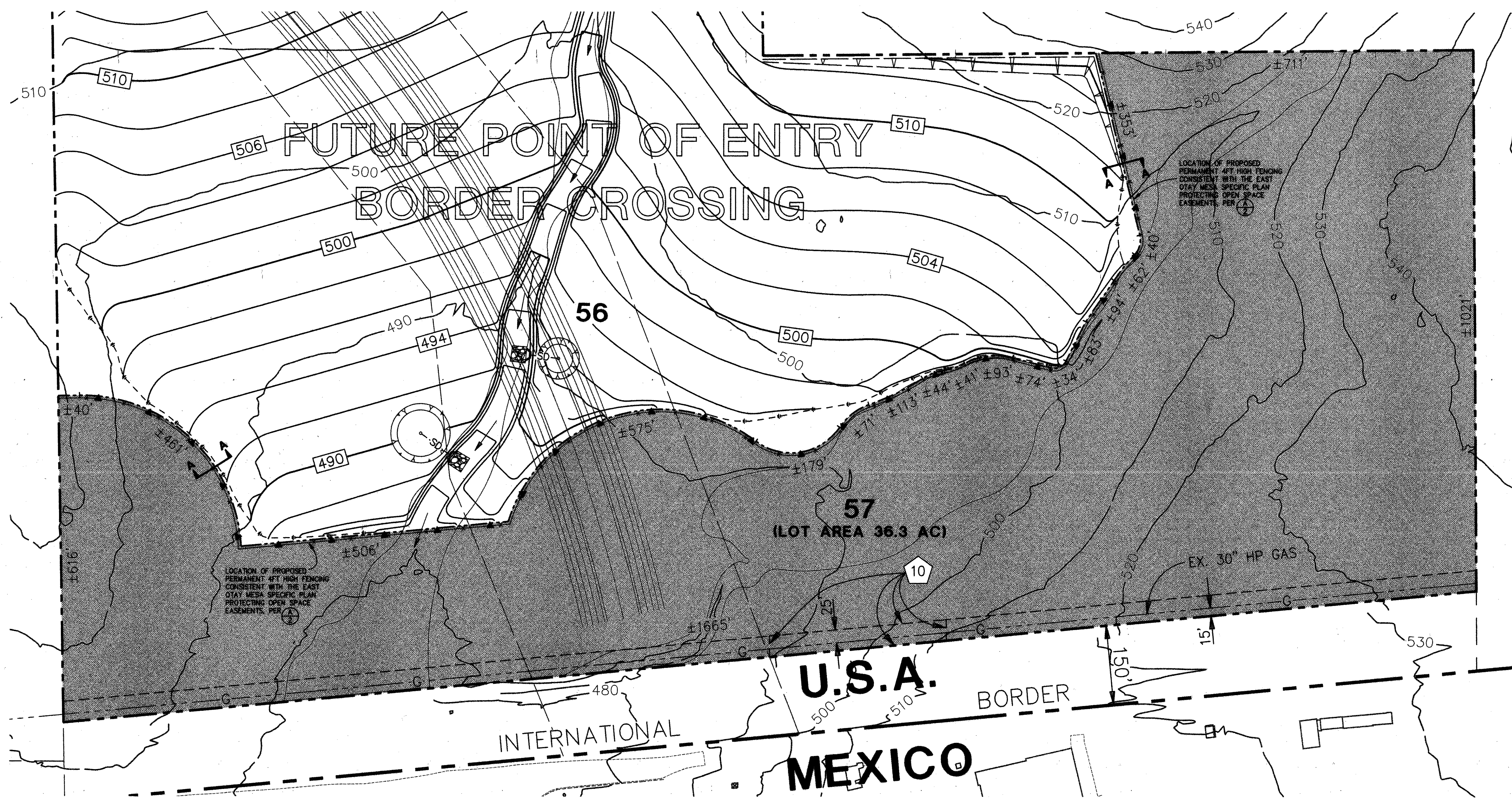


LOT 59 OPEN SPACE
SCALE: 1"=100'

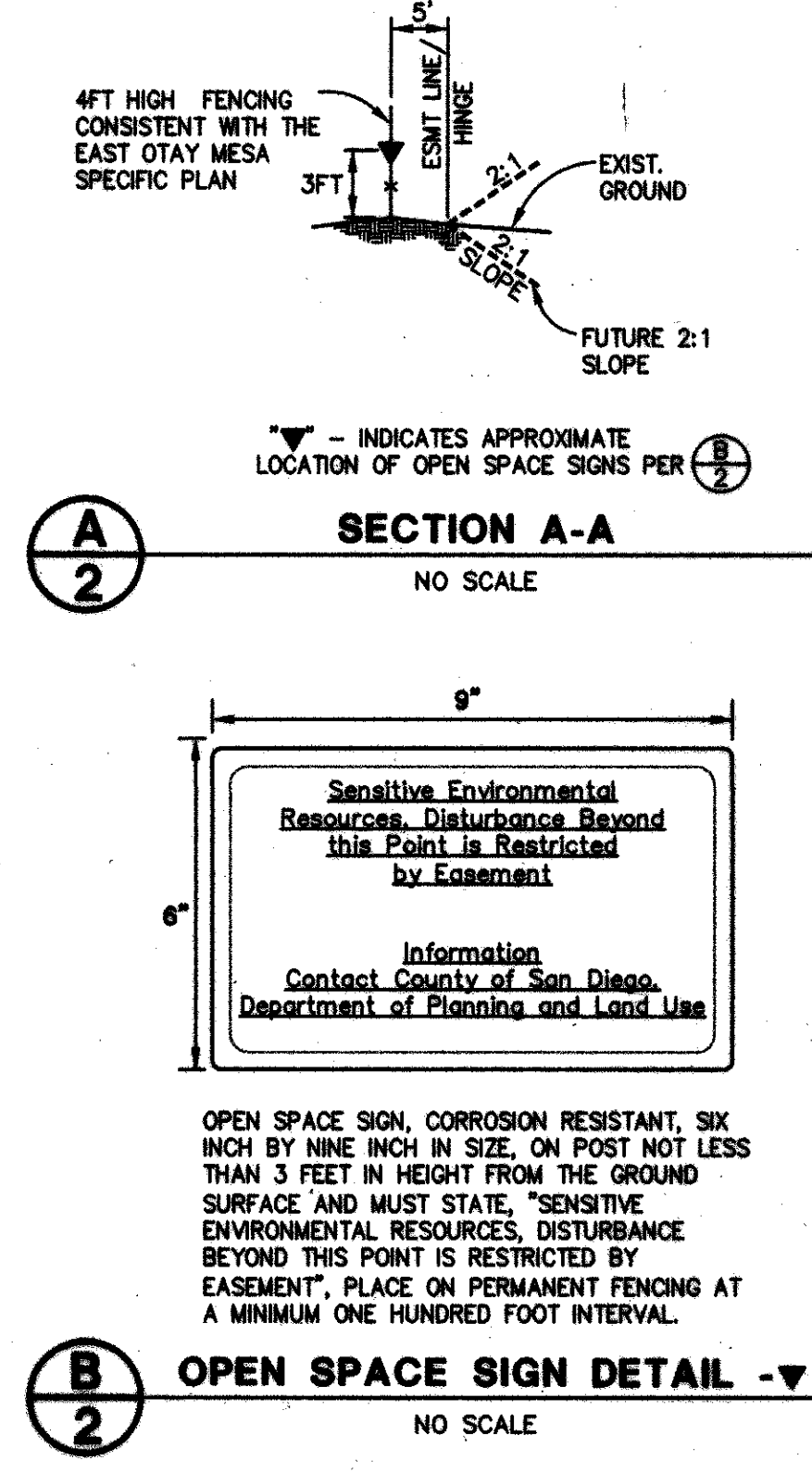


LOT 58 OPEN SPACE
SCALE: 1"=100'

LEGEND	SYMBOL
PROPOSED LOT NUMBER	1 thru 59
SUBDIVISION BOUNDARY	---
PROPOSED LOT LINE	---
PROPOSED RIGHT-OF-WAY	---
FUTURE ULTIMATE RIGHT-OF-WAY	---
EASEMENT LINE	---
EXISTING CONTOUR	---
PROPOSED CONTOUR	---
PROPOSED SLOPE 3:1 (2:1 FOR TEMP. SLOPES)	---
EXISTING EASEMENT TABLE PER SHEET 1	---

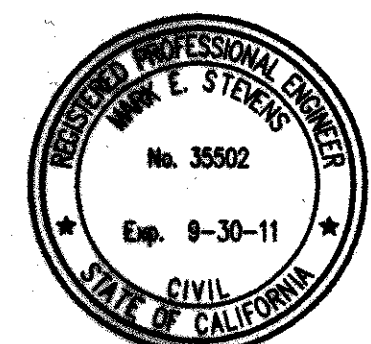


LOT 57 OPEN SPACE
SCALE: 1"=100'



OWNER/SUBDIVIDER
KEARNY REAL ESTATE COMPANY
855 WEST BROADWAY, SUITE 1600
SAN DIEGO, CA 92101
PHONE: 619-702-8130
FAX: 619-702-7812

ENGINEER OF WORK
STEVENS CRESTO ENGINEERING, INC.
9665 CHESAPEAKE DRIVE, SUITE 320
SAN DIEGO, CA 92131-3552
PHONE: (619) 694-5660
FAX: (619) 694-5661



STEVENS-CRESTO ENGINEERING, INC.
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COUNTY OF SAN DIEGO TRACT 5405 RPL7

OTAY CROSSINGS COMMERCE PARK - PRELIMINARY GRADING PLAN

GRADING & IMPROVEMENT PLAN NOTES

SHEET 3 OF 3

PRE-CONSTRUCTION MEETING: (Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances.)

1. BIOLOGICAL MONITORING: [DPLU, POC] [DPW, POC] [DPLU, FEE X3] Intent: In order to prevent inadvertent disturbance to Burrowing Owl, Northern Harrier, or sensitive plants to be salvaged, and biological open space, all grading shall be monitored by a biologist. Description of Requirement: A County approved biologist shall perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities. The Project Biologist shall supervise and monitor grading activities to ensure against damage to biological resources that are intended to be protected and preserved, and to prevent the inadvertent disturbance to Burrowing Owl, Northern Harrier, and sensitive plants to be salvaged. The monitor(s) shall be on site during all grading and clearing activities that are in or adjacent to any biological open space areas or sensitive habitats. If there are disturbances, the monitor must report them immediately to the [DPLU POC]. Additionally, the biologist shall perform the following duties before construction to comply with the conditions of this Grading Plan and Tentative Map:

1. Supervise and verify placement of temporary fencing of open space easements. The placement of such fencing shall be approved by the DPLU, Permit Compliance Section.
2. The Biologist shall attend the preconstruction meetings and other meetings to discuss construction requirements. Such meetings shall include the DPLU Permit Compliance Section.
3. Perform weekly inspection of fencing and erosion control measures (daily during rain events) near proposed preservation areas and report deficiencies immediately to the DPW Construction Inspector.
4. Perform periodic monitoring the work area for excessive dust generation in compliance with the County grading ordinance and report deficiencies immediately to the DPW Construction Inspector.
5. Conduct training for contractors and construction personnel, including the purpose for resource protection, a description of the groutcatcher and its habitat, and the conservation measures that should be implemented during project construction.
6. Monitor construction lighting periodically to ensure lighting is the lowest lumen possible allowed for safety, selectively placed, shielded, and directed away from preserved habitat.
7. Monitor equipment maintenance, staging, and fuel dispensing areas to ensure there is no runoff to Waters of the US.
8. Stop or divert all work when deficiencies require remediation and notify DPW Construction Inspector and DPLU Permit Compliance Section within 24 hours; (8) produce periodic (monthly during grading) and final reports and submit to the Wildlife Agencies and the DPLU (find report will release band);
9. Confer with the Wildlife Agencies and DPLU Permit Compliance Coordinator within 24 hours any time protected habitat or groutcatchers are being affected by construction;
10. Attend construction meetings and other meetings as necessary.

Documentation: The Project Biologist shall prepare and submit to the satisfaction the [DPLU, POC] monitoring reports, which indicate that the monitoring has occurred as indicated above. The Biological Monitor shall prepare written documentation that certifies that the temporary fencing has been installed and all construction staff has been trained on the site sensitive biological resources that are to be avoided. Timing: Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. The following actions shall occur throughout the duration of the grading construction. Monitoring: The [DPW, POC] shall ensure that the Project Biologist is on-site performing the monitoring duties of this condition during all applicable grading activities as determined by the Biologist. The [DPW, POC] shall contact the [DPLU, POC] if the Project Biologist or applicant fails to comply with this condition. The [DPLU, POC] shall review and approve the monitoring reports for compliance with this condition.

2. TEMPORARY FENCING: [DPLU, POC] [DPW, POC] [PO, US] Intent: In order to prevent inadvertent disturbance to Burrowing Owl and proposed open space, temporary construction fencing shall be installed. Description of Requirement: Prior to the commencement of any grading and/or clearing in association with this grading plan, temporary orange construction fencing shall be placed to protect from inadvertent disturbance of all open space easements that do not allow grading, brushing or clearing. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary.

1. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary.
2. The placement of such fencing shall be approved by the DPLU, Permit Compliance Section. Upon approval, the fencing shall remain in place until the conclusion of grading activities after which the fencing shall be removed.
3. No fencing shall be placed around all occupied burrows during construction.

Documentation: The applicant shall provide evidence that the fencing has been installed and have a California licensed surveyor certify that the fencing is located on the boundary of the open space easement(s). The applicant shall submit photos of the fencing along with the certification letter to the [DPLU, POC] for review and approval. Timing: Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. The [DPLU, POC] shall either attend the preconstruction conference and approve the installation of the temporary fencing, or review the certification and pictures provided by the applicant.

3. ARCHAEOLOGICAL MONITORING: [DPW, POC] [DPLU, POC] [PO, US] Intent: In order to comply with Mitigation Monitoring and Reporting Program pursuant to TM5405, a Cultural Resource Grading Monitoring Program shall be implemented. Description of Requirement: The County approved "Project Archaeologist", Native American Monitor, and the DPLU Permit Compliance Coordinator (PCC), shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the grading monitoring program. The Project Archaeologist (and Native American Monitor, if contracted) shall monitor original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The grading monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archaeological and Historic Resources. Documentation: The applicant shall have the contracted Project Archaeologist and Native American Monitor attend the preconstruction meeting to explain the monitoring requirements. Timing: Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. Monitoring: The [DPW, POC] shall invite the [DPLU, POC] to the preconstruction conference to coordinate the Cultural Resource Monitoring requirements of this condition. The [DPLU, POC] shall attend the preconstruction conference and confirm the attendance of the approved Project Archaeologist.

ROUGH GRADING: (Prior to rough grading approval and issuance of any building permit).

4. BIOLOGICAL MONITORING: [DPLU, POC] [PO, US] [DPLU, FEE] Intent: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MRRP) and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Biological Resources, a Grading Monitoring Program shall be implemented. Description of Requirement: The Project Biologist shall prepare and submit a final letter report substantiating his/her supervision of the grading activities and substantiating that grading did not impact any biological open space, or it did not inadvertently disturb sensitive species such as Burrowing Owl, Northern Harrier, and other sensitive biological resources. The report shall conform to the County of San Diego Report Format Guidelines for Biological Resources. It shall also include but not be limited to the following items:

- a. Photos of the temporary fencing that was installed during the trenching, grading, or clearing activities.
- b. Monitoring logs showing the date and time that the monitor was on site.
- c. Photos of the site after the grading and clearing activities.

Documentation: The applicant shall submit the final biological monitoring report to the [DPLU, POC] for review and approval. Timing: Upon completion of all grading activities, and prior to Rough Grading final inspection (Grading Ordinance SEC 87.421(a.2)), the final report shall be completed. Monitoring: The [DPLU, POC] shall review the final report for compliance with the project MRRP, and inform [DPW, POC] that the requirement is completed.

5. RESOURCE AVOIDANCE OF RAPTOR FORAGING, NORTHERN HARRIER, CALIFORNIA HORNED LARK, COASTAL WESTERN WHIPTAIL: [DPLU, POC] [DPW, POC] Intent: In order to avoid impacts to Northern Harrier, California Horned Lark, Coastal Western whiptail, and raptor foraging habitat, which is a sensitive biological resource pursuant to the Biological Mitigation Ordinance, a Resource Avoidance Area (RAA), shall be implemented on all plans. Description of Requirement: There shall be no brushing, clearing and/or grading such that none will be allowed within 300 feet of nests during the breeding season. The breeding season is defined as occurring between February 15 and September 15. The Resource Avoidance Area (RAA) encompasses the entire site. Surveys for all breeding birds must occur in accordance Agency protocol before any construction and grading begins. The Director of Planning and Land Use [DPLU, POC] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, provided that no sensitive species are present in the vicinity of the brushing, clearing or grading. Documentation: The applicant shall provide a letter of agreement with this condition. Alternatively, the applicant may submit a written request for waiver of this condition. Although, No Grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. Timing: Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. Monitoring: The [DPW, POC] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [DPLU, POC] is received. The [DPLU, POC] shall review the concurrence letter.

6. RESOURCE AVOIDANCE OF BURROWING OWL: [DPLU, POC] [DPW, POC] Intent: In order to avoid impacts to Burrowing Owl, which is a sensitive biological resource pursuant to Biological Mitigation Ordinance, a Resource Avoidance Area (RAA), shall be implemented on all plans. Description of Requirement: There shall be no brushing, clearing and/or grading such that none will be allowed within 300 feet of non-native grassland habitat during the breeding season. The breeding season is defined as occurring between February 15 and August 31. Surveys for burrowing owls must occur in accordance Agency regulations (1995) before any construction and grading begins. If any owls are found positive relocation measures in accordance with Agency regulations (1995) shall be implemented with the Wildlife Agency approval. The Director of Planning and Land Use [DPLU, POC] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, provided that no sensitive species are present in the vicinity of the brushing, clearing or grading. Documentation: The applicant shall provide a letter of agreement with this condition. Alternatively, the applicant may submit a written request for waiver of this condition. Although, No Grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. Timing: Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. Monitoring: The [DPW, POC] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [DPLU, POC] is received. The [DPLU, POC] shall review the concurrence letter.

7. ARCHAEOLOGICAL MONITORING: [DPLU, POC] [PO, US] [DPLU, FEE] Intent: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MRRP) pursuant to TM5405, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archaeological Resources, a Grading Monitoring Program shall be implemented. Description of Requirement: The Project Archaeologist shall prepare one of the following reports upon completion of the grading activities that require monitoring:

- a. If no archaeological resources are encountered during grading, then submit a final Negative Monitoring Report substantiating that grading activities are completed and no cultural resources were encountered. Monitoring logs showing the date and time that the monitor was on site must be included in the Negative Monitoring Report.
- b. If archaeological resources were encountered during grading, the Project Archaeologist shall provide a Monitoring Report stating that the field grading monitoring activities have been completed, and that resources have been encountered. The report shall detail all cultural artifacts and deposits discovered during monitoring and the anticipated time schedule for completion of the curtion phase of the monitoring.

Documentation: The applicant shall submit the Monitoring report to the [DPLU, POC] for review and approval. Timing: Upon completion of all grading activities, and prior to Rough Grading final inspection (Grading Ordinance SEC 87.421(a.2)), the report shall be completed. Monitoring: The [DPLU, POC] shall review the report or field monitoring memo for compliance with the project MRRP, and inform [DPW, POC] that the requirement is completed.

DURING CONSTRUCTION: (The following actions shall occur throughout the duration of the grading construction).

- 8. AIR QUALITY:** [DPW, POC] Intent: In order to mitigate for the potential air quality effects which may be caused by construction activities. Description of Requirement: The project shall comply with the following Air Quality measures:
1. Multiple applications of water during grading between dozer/scaper passes (a minimum of three times per day)
 2. Paving, chip sealing or chemical stabilization of internal roadways after completion of grading
 3. Use of sweepers or water trucks to remove "track-out" at any point of public street access
 4. Stabilization of dirt storage piles by chemical binders, tarps, fencing or other erosion control
 5. Hating of grading during periods of high winds (greater than 25 mph)
 6. Stabilization of graded areas (pave roads, hydroseeded open areas, etc.) as soon as practical
 7. Limitation of vehicles speeds on unpaved surfaces to 10 mph
 8. Covering of trucks hauling dirt for cut and fill operations

In addition, measures to minimize equipment emissions during construction include use of low pollutant emitting construction equipment; minimization of simultaneous operation of multiple construction units; use of electrical construction equipment; use of catalytic reduction for gasoline-powered equipment; minimization of idling times; and use of injection timing retard for diesel-powered equipment. The above best management practices and emission-reducing measures would reduce construction equipment impacts.

Documentation: The applicant shall comply with the Air Quality requirements of this condition. Timing: The following actions shall occur throughout the duration of the grading construction Monitoring: The [DPW, POC] shall make sure that the grading contractor complies with the Air Quality requirements of this condition. The [DPW, POC] shall contact the [DPLU, POC] if the applicant fails to comply with this condition.

9. ARCHAEOLOGICAL MONITORING: [DPW, POC] [DPLU, POC] [DPLU, FEE X2] Intent: In order to comply with Mitigation Monitoring and Reporting Program pursuant to TM5405, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archaeological and Historic Resources, a Cultural Resource Grading Monitoring Program shall be implemented. Description of Requirement: The Project Archaeologist (and Native American Monitor, if contracted) shall monitor original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The grading monitoring program shall comply with the following requirements during grading:

- a. During the original cutting of previously undisturbed deposits, the Project Archaeologist and Native American Monitor shall be on-site as determined necessary by the Project Archaeologist. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency of inspections will be determined by the Project Archaeologist in consultation with the Native American Monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Project Archaeologist.
- b. In the event that previously unidentified potentially significant cultural resources are discovered, the Project Archaeologist, in consultation with the Native American monitor, shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. At the time of discovery, the Project Archaeologist shall contact the DPLU Staff Archaeologist. The Project Archaeologist, in consultation with the DPLU Staff Archaeologist, shall determine the significance of the discovered resources. Construction activities will be allowed to resume in the affected area only after the DPLU Staff Archaeologist has concurred with the evaluation. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the Project Archaeologist and approved by the Staff Archaeologist, then carried out using professional archaeological methods.
- c. If any human bones are discovered, the Project Archaeologist shall contact the County Coroner and the DPLU Staff Archaeologist. If the remains are determined to be of Native American origin, the Most Likely Descendant, as defined by the Native American Heritage Commission, shall be contacted by the Project Archaeologist in order to determine proper treatment and disposition of the remains.
- d. If grading will take longer than 1 month, the Project Archaeologist shall submit monthly status reports to the Director of Planning and Land Use starting from the date of the Notice to Proceed to termination of implementation of the grading monitoring program. The reports shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction.

Documentation: The applicant shall implement the grading monitoring program pursuant to this condition. Timing: The following actions shall occur throughout the duration of the grading construction. Monitoring: The [DPW, POC] shall make sure that the Project Archaeologist is on-site performing the Monitoring duties of this condition. The [DPW, POC] shall contact the [DPLU, POC] if the Project Archaeologist or applicant fails to comply with this condition.

FINAL GRADING RELEASE: (Prior to any occupancy, final grading release, or use of the premises in reliance of this permit).

10. OPEN SPACE SIGNAGE & FENCING: [DPLU, POC] [DPW, POC] [PO, US] Intent: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MRRP) for TM 5405, the fencing and signage shall be installed. Description of Requirement: The permanent fences or walls, and open space signs shall be placed along the open space boundary of lots(s) 57, 58, and 59 as shown on these plans and the Approved Conceptual Grading and Development Plan for TM 5405.

- a. Evidence shall be site photos and a statement from a California Registered Engineer, or licensed surveyor that the permanent walls or fences, and open space signs have been installed.
- b. The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:
 - Sensitive Environmental Resources
 - Area Restricted by Easement
 - Entry without express written permission from the County of San Diego is prohibited. To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego, Department of Planning and Land Use Reference: (TM 5405, ER 93-19-006)

Documentation: The applicant shall install the fencing and signage and provide the documentation photos and certification statement to the [DPLU, POC]. Timing: Prior to the Final Grading Release (Grading Ordinance SEC 87.421(a.3)) the fencing and signage shall be installed. Monitoring: The [DPLU, POC] shall review the photos and statement for compliance with this condition.

11. EASEMENT AVOIDANCE: [DPLU, POC] [DPW, POC] [DPLU, FEE] Intent: In order to protect sensitive resources, pursuant to County Grading Ordinance Section 87.112 the open space easements shall be avoided. Description of Requirement: The easement indicated on this plan is for the protection of sensitive environmental resources including occupied Burrowing Owl habitat and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. It is unlawful to grade or clear within an open space easement, any disturbance shall constitute a violation of the County Grading Ordinance Section 87.112 and will result in enforcement action and restoration. The only exception(s) to this prohibition:

1. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto.

2. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Land Use.

Documentation: The applicant shall provide a letter statement to the [DPLU, POC] stating that all Sensitive Resource Easements were avoided during the grading construction, and that no impacts or encroachment into the open space occurred. Timing: Prior to Final Grading Release the letter verifying the easements were not disturbed shall be submitted. Monitoring: The [DPW, POC] shall not allow any grading, clearing or encroachment into the open space easement.

12. ARCHAEOLOGICAL MONITORING: [DPLU, POC] [PO, US] [DPLU, FEE] Intent: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MRRP) pursuant to TM5405, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archaeological Resources, a Grading Monitoring Program shall be implemented. Description of Requirement: The Project Archaeologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program if cultural resources were encountered during grading. The report shall include the following:

- a. Department of Parks and Recreation Primary and Archaeological Site forms.
- b. Daily Monitoring Logs
- c. Evidence that all cultural resources collected during the grading monitoring program have been submitted to a San Diego curtion facility that meets federal standards per 36 CFR Part 79, and, therefore, would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to the San Diego curtion facility and shall be accompanied by payment of the fees necessary for permanent curtion. Evidence shall be in the form of a letter from the curtion facility stating that archaeological materials have been received and that all fees have been paid.
- c. If no cultural resources are discovered, a brief letter to that effect must be submitted stating that the grading monitoring activities have been completed. Daily Monitoring Logs must be submitted with the negative monitoring report.

Documentation: The applicant shall submit the report to the [DPLU, POC] for review and approval. Timing: Prior to the occupancy of any structure or use of the premises in reliance of TM 5405, and prior to Final Grading Release (Grading Ordinance SEC 87.421(a.3)), for each phase, the final report shall be completed. Monitoring: The [DPLU, POC] shall review the final report for compliance with the project MRRP, and inform [DPW, POC] that the requirement is completed.

13. PALEONTOLOGICAL MITIGATION AND MONITORING PROGRAM: [DPLU] Intent: In order to mitigate potential impacts to previously unknown paleontological resources during Project grading and excavation activities, a mitigation and monitoring program shall be established. Description of Requirement: The impacts will be mitigated by implementing the mitigation and monitoring program detailed in the County's Guidelines for Determining Significance - Paleontological Resources (County of San Diego 2008). Initial cutting, grading, or excavation of undisturbed substratum in areas of high and moderate sensitivity will be monitored by a Project Paleontologist or a Paleontological Resources Monitor under the supervision of the Project Paleontologist. If paleontological resources are unearthed, the Qualified Paleontologist or Paleontological Monitor shall direct, divert, or halt any grading or excavation activity until such time that the sensitivity of the resource can be determined and the appropriate recovery implemented. If found, significant paleontological resources will be salvaged, cleaned, curated, and transferred to an accredited museum or university in California. Mitigation shall be considered complete when the County's Permit Compliance Coordinator, on behalf of the Director of Planning and Land Use, receives a final report prepared by the Project Paleontologist, and a letter from the accredited institution stating that the paleontological resources have been received and accepted. Documentation: The applicant shall prepare a final report documenting the findings and analysis of field work. The final report shall be submitted to the Department of Planning and Land Use. Timing: Fieldwork and analysis shall be completed prior to final grading inspection for all Grading Plans. Monitoring: The Department of Planning and Land Use shall review the final paleontological report in conformance with this mitigation measure and the San Diego County Paleontological Guidelines for Determining Significance.